



COTTONWOOD HEIGHTS CITY COUNCIL AGENDA

Notice is hereby given that the Cottonwood Heights City Council will hold a Business Meeting beginning at **7:00 p.m. on Tuesday, April 23, 2013**, at Cottonwood Heights City Council Chamber located at 1265 East Fort Union Blvd., Suite 300, Cottonwood Heights, Utah.

7:00 p.m. 1.0 WELCOME/PLEDGE/ACKNOWLEDGEMENTS

2.0 CITIZEN COMMENTS

(Please note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comments will be limited to three minutes per person per item. A spokesperson who has been asked by a group to summarize their concerns will be allowed five minutes to speak. Comments which cannot be made within these limits should be submitted in writing to the City Recorder prior to noon the day before the meeting)

3.0 REPORTS/PROCLAMATIONS/RECOGNITIONS

3.1 Standing Monthly Reports

1. Monthly Financial Report – Finance Director Steve Fawcett

(The finance department will provide a report of the city budget as of March 31, 2013)

2. Unified Fire Report – Assistant Chief Mike Watson

(Report by Assistant Chief Watson of medical and fire calls responded to by Cottonwood Heights stations during the month of March as well as other informational items from the Unified Fire Authority)

4.0 ACTION ITEMS

4.1 Consideration of Resolution No. 2013-14 Approving Entry into Amendment No. 10 to an Interlocal Agreement with Salt Lake County for Public Works Services

(Approving entry into an interlocal agreement with Salt Lake County for renewal of public works services for fiscal year 2014)

4.2 Consideration of Resolution No. 2013-15 Approving Entry into Amendment No. 3 to an Interlocal Agreement with Salt Lake County for Paving Services

(Approving entry into an interlocal agreement with Salt Lake County for renewal of paving services for fiscal year 2014)

4.3 Consideration of Resolution No. 2013-16 An Appropriation Resolution Adopting a One Year Action Plan for FY 2013-2014 Community Development Block Grant Funding and Authorizing an Interlocal Cooperation Agreement between Cottonwood Heights, the U.S. Department of Housing and Urban Development and other Governmental Entities

(Approving the city's CDBG action plan for FY 2013-2014)

4.4 Consideration of Resolution No. 2013-17 Consenting to Reappointments to the Architectural Review Commission

(Scott E. Chapman, Jonathan Jan Oldroyd, Laura McCoy and Scott Peters will be reappointed to the Architectural Review Commission)

4.5 Consideration of Resolution No. 2013-18 Consenting to Appointments to the Cottonwood Heights Arts Council

(Rebecca Kitchen and Maradon Nettleship will be reappointed and John Russell and Chante' T. McCoy will be appointed to the Cottonwood Heights Arts council)

5.0 **CONSENT CALENDAR**
Approval of Minutes for March 26, 2013

6.0 **ADJOURN BUSINESS MEETING AND RECONVENE
WORK SESSION IN ROOM 250**

PUBLIC COMMENT PROCEDURE

At each City Council Business Meeting any person wishing to comment on any item not otherwise on the agenda for public comment may address the City Council during the Public Comment period. Any person wishing to comment during the citizen comment period shall request recognition by the Mayor and upon recognition, approach the microphone and state their name and address the body. Any person wishing to comment shall limit their comments to no more than three (3) minutes, unless additional time is authorized by the Mayor. Citizen groups will be asked to appoint a spokesperson, who shall limit their comments to no more than five (5) minutes. All comments shall be directed to the Mayor and City Council. No person addressing the City Council during the comment period shall be allowed to comment more than once during that comment period. Speakers should not expect any debate or dialogue with the Mayor, City Council or City Staff during the meeting.

The Council may choose to limit the amount of time allotted to public comment on a specific issue. In such cases, special procedures for determining who will be allowed to speak and the order of such speakers will be determined by the Council.

On Monday, April 22, 2013, at 5:00 p.m. a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Cottonwood Heights City Offices, Cottonwood Heights, Utah. A copy of this notice was faxed to the Salt Lake Tribune and Deseret News, newspapers of general circulation in the City by the Office of the City Recorder. The Agenda was also posted on the City's website at www.ch.utah.gov and the State Public Meeting Notice website at <http://pmn.utah.gov>

DATED THIS 22nd DAY OF APRIL 2013

Kory Solorio, Deputy City Recorder

Council Members may participate in the meeting via telephonic communication. If a Council Member does participate via telephonic communication, the Councilmember will be on speakerphone. The speakerphone will be amplified so that the other Council Members and all other persons present in the Council Chambers will be able to hear all discussions.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations or assistance during this meeting shall notify Kory Solorio, Deputy City Recorder, at (801) 944-7020 at least 24 hours prior to the meeting. TDD number is (801)270-2425 or call Relay Utah at #711. If you would like to submit written comments on any agenda item they should be received by the Deputy City Recorder no later than Tuesday at noon. Comments can be emailed to ksolorio@ch.utah.gov



NOTICE OF COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION AGENDA

Notice is hereby given that the Cottonwood Heights City Council will hold a Work Session at **6:00 p.m. on Tuesday, April 23, 2013**, in the Cottonwood Heights City Council Conference Room located at 1265 East Fort Union Blvd., Suite 250, Cottonwood Heights, Utah

- 6:00 p.m.**
- 1. Closed Meeting to Discuss Litigation, Property Acquisition and the Character and Professional Competence or Physical or Mental Health of an Individual (45:00)**
 - 2. Review of Business Meeting Agenda (5:00)**
 - 3. Public Relations Report (15:00)**
 - a. Media Coverage
(Public Relations Specialist, Stephanie Archibald, will provide a report on media coverage of city events)
 - b. Valley Journal
(A review of the upcoming articles for future editions)
 - 4. Planning Department Report (30:00)**
 - a. Fort Union Park and Ride Open House
(Staff conducted an open house to show the area residents the proposed park and ride design and will apprise the council on the outcome of that meeting)
 - b. Oaks at Wasatch HOA Meeting
(Staff will update the Council about meeting with the homeowners to go over park options and design)
 - c. Planning Commission Meeting Report
(Staff will report on the Planning Commission meeting held April 17)
 - d. Mountview Park
(Staff will provide an update on the improvements being made to Mountview Park and plans for officially opening the park)
 - 5. Public Safety Reports (20:00)**
 - a. Unified Fire Authority
(Report from Assistant Chief Mike Watson on events of the week)
 - 1. Benefits & Compensation Committee Meeting**
(Mayor Cullimore and Chief Watson attended this meeting to discuss Health Insurance Options for UFA for next year)
 - 2. Annual Banquet**
(The annual awards banquet was held on April 20th)
 - b. Police Department
(Report from Chief Robby Russo on noteworthy events of the week)
 - 1. Valley Emergency Communication Center**
(Chief Russo will update the Council on the dispatcher appreciation BBQ on Friday at VECC with CHPD staff and discussion the 9-1-1 concerns related to the loss of Sandy Fire/Police from the PSAP)

2. Evidence Destruction

(Chief Russo will discuss a new policy to sell or destroy all seized property not retained as evidence or returned to owner)

6. City Manager/Deputy City Manager Report (30:00)

a. Personnel Update

(Deputy City Manager Linda Dunlavy will report on personnel matters)

b. Utah Local Government Trust Advisory Committee Meeting

(City Manager John Park will report on recent Utah Local Government Trust Advisory Committee Meeting)

c. Red Cross Emergency Shelter Exercise

(City Manager John Park will report on the Red Cross Emergency Shelter Exercise held at the Cottonwood Heights Rec. Center on April 18)

7. Mayor/City Council Reports (60:00)

a. Butlerville Days Committee Meeting – Councilman Peterson

(Councilman Peterson will report on the recent Butlerville Days Committee meeting)

b. Youth City Council – Councilman Bracken

(Councilman Bracken will report on the Youth City Council meeting held April 18 and discuss the yearly YCC dinner)

c. Cottonwood Heights Parks and Recreation Meeting – Councilman Bracken

(Councilman Bracken will report on the monthly coordination meeting with Cottonwood Heights and Cottonwood Heights Parks and Recreation Service Area)

d. IT Committee Meeting – Councilmen Bracken and Shelton

(Staff will report on the IT Committee meeting held March 12)

e. Arts Council Meeting – Councilman Shelton

(Councilman Shelton will report on the Arts Council Meeting held March 13)

f. Wasatch Front Waste and Recycling District Board Meeting – Councilman Bracken

(Councilman Bracken will report on the recent Wasatch Front Waste and Recycling District Board meeting)

8. Calendar of Events (10:00)

a. Table Top - Utah Shake Out - May 1 – 9:00 a.m.

b. City Offices Closed for Memorial Day – May 27

9. Closed Meeting to Discuss Litigation, Property Acquisition and the Character and Professional Competence or Physical or Mental Health of an Individual

10. ADJOURN

COTTONWOOD HEIGHTS

RESOLUTION No. 2013-14

A RESOLUTION APPROVING ENTRY INTO
AMENDMENT NO. 10 TO AN INTERLOCAL AGREEMENT
WITH SALT LAKE COUNTY FOR PUBLIC WORKS SERVICES

WHEREAS, the Interlocal Cooperation Act, *Utah Code Ann.* §11-13-101 *et seq.*, provides that any two or more public agencies may enter into agreements with one another for joint or cooperative action following the adoption of an appropriate resolution by the governing body of each participating public agency; and

WHEREAS, effective 15 January 2005, the city of Cottonwood Heights (the “City”) and Salt Lake County (the “County”) entered into an interlocal agreement (the “Agreement”) whereunder the County agreed to provide public works services to the City through 30 June 2005 on the terms and conditions specified in the Agreement; and

WHEREAS, the Agreement provides, *inter alia*, that the Agreement may be renewed for succeeding one-year periods upon mutual approval of a revised “Exhibit A” to the Agreement; and

WHEREAS, the City and the County heretofore have amended and/or renewed the Agreement for the cumulative period of 1 July 2005 through 30 June 2013 pursuant to nine successive amendments to and renewals of the Agreement; and

WHEREAS, the County has proposed to continue to provide public works services within the City for the period of 1 July 2013 through 30 June 2014 as provided in the proposed “Amendment and Renewal No. 10--Agreement for Public Works Services--Salt Lake County and City of Cottonwood Heights” (the “Tenth Amendment”); and

WHEREAS, the city council (the “Council”) of the City met in regular session on 23 April 2013 to consider, among other things, approving the City’s entry into the Tenth Amendment; and

WHEREAS, the Council has reviewed the form of the Tenth Amendment, a photocopy of which is annexed hereto; and

WHEREAS, the city attorney of the City has approved the form of the Tenth Amendment as required by *Utah Code Ann.* §11-13-202.5(3); and

WHEREAS, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the City’s residents to approve the City’s entry into the Tenth Amendment as proposed in order to make efficient use of the City’s resources;

NOW, THEREFORE, BE IT RESOLVED by the city council of Cottonwood Heights that the attached Tenth Amendment with the County is hereby approved, and that the City’s mayor and

recorder are authorized and directed to execute and deliver the Tenth Amendment on behalf of the City.

This Resolution, assigned no. 2013-14, shall take effect immediately upon passage.

PASSED AND APPROVED this 23rd day of April 2013.

COTTONWOOD HEIGHTS CITY COUNCIL

By _____
Kelvyn H. Cullimore, Jr., Mayor

ATTEST:

Linda W. Dunlavy, Recorder

VOTING:

Kelvyn H. Cullimore, Jr.	Yea	___	Nay	___
Michael L. Shelton	Yea	___	Nay	___
J. Scott Bracken	Yea	___	Nay	___
Michael J. Peterson	Yea	___	Nay	___
Tee W. Tyler	Yea	___	Nay	___

DEPOSITED in the office of the City Recorder this 23rd day of April 2013.

RECORDED this ___ day of April 2013.

596329.1

**AMENDMENT AND RENEWAL NO. 10
AGREEMENT FOR PUBLIC WORKS SERVICES
SALT LAKE COUNTY
AND
CITY OF COTTONWOOD HEIGHTS**

THIS AMENDMENT is made and entered into this ____ day of _____, 2013, and amends an existing interlocal agreement between SALT LAKE COUNTY (the "COUNTY"), a body corporate and politic of the State of Utah; and the CITY OF COTTONWOOD HEIGHTS (the "CITY"), a municipal corporation of the State of Utah.

RECITALS

A. The parties entered into an agreement on January 15, 2005, pursuant to the Utah Interlocal Cooperation Act, under which the COUNTY would provide certain public works services to the CITY (the "SERVICES").

B. Pursuant to the terms of the original agreement, the parties hereby agree to amend and extend that agreement for the period set forth herein and based on the rates and services set forth in a revised Exhibit "A," attached hereto.

AGREEMENT

1. The nature of the SERVICES provided under this amendment and the charges for the SERVICES is set forth in Exhibit "A," which is made a part of and incorporated into this amendment by reference, replacing the original Exhibit "A" in the original agreement.

2. The original agreement of the parties is amended to extend the term of SERVICES under this amendment through June 30, 2014.

3. The original agreement of the parties is amended to allow for termination (with or without cause) by either party upon at least ninety (90) days prior written notice to the other party. Payment shall be made for all work performed prior to termination.

4. Except as specifically amended, all of the terms and provisions of the agreement of the parties shall remain in full legal force and effect.

5. The parties acknowledge that this amendment is subject to the provisions and procedures contained in the Interlocal Cooperation Act and they agree to process, approve, manage and archive this amendment in accordance with the provisions of that Act.

IN WITNESS WHEREOF, the parties do execute this amendment on the day and year first above written.

SALT LAKE COUNTY

APPROVED AS TO FORM
Salt Lake County District Attorney's Office
By [Signature]
Deputy District Attorney
Date 5 April 2013

By _____
Mayor or Designee

CITY OF COTTONWOOD HEIGHTS

Approved as to legal form:

By _____
Title _____

Attest:

City Recorder

Exhibit A
Cottonwood Heights
Public Works Services Contract
July 1, 2013 - June 30, 2014

<u>Contract item</u>	<u>Amount</u>
General Road Maintenance	\$ 150,000
Snow Removal	\$ 400,000
Traffic Analysis	\$ 1,000
Sign Maintenance	\$ 25,000
Road Striping	\$ 40,000
School Flashers	\$ 2,000
Street Light Maintenance	\$ 20,000
Traffic Signal Maintenance	\$ 60,000
Storm Drain Maintenance	\$ 63,000
Weed Control	\$ 3,000
Small projects (curb and gutter, storm drain, etc.)	\$ 25,000
	<u>\$ 789,000</u>

The CITY shall reimburse the County for the total actual cost of the work performed, including labor, equipment, materials, and indirect costs, if any, as outlined in the contract.

Charges from Rocky Mountain Power for electricity on signals, school flashers, street lights is not included and is billed separately.

PW Services Contract Amount	\$ 789,000
Pavement Maintenance Contract Amount	\$ 633,140
Grand Total	\$ 1,422,140

The total actual cost of the work performed shall be in accordance with the Equipment and Labor rate schedules, attached hereto as Exhibits "B" and D."

The COUNTY agrees to reference the applicable Work Order Numbers outlined in Exhibit "C" in all its billings to the CITY.

Exhibit B
Cottonwood Heights
Equipment Rates
July 1, 2013 - June 30, 2014

10-Wheel	42.76
10-Wheel w/ plow	67.49
4-Wheeler w/ plow	20.00
Air Compressor	12.83
Backhoe	44.90
Backhoe, Track	102.09
Bob Tail	30.39
Bob Tail w/ plow	55.12
Bob Tail, all wheel w/ p	67.13
Bob Tail, all wheel	42.40
Boom Truck	65.00
Bucket Truck	22.00
Chip spreader	64.47
Crack Sealer	20.00
Derick Auger	65.00
Ditch Witch	18.26
Drill Rig	30.00
Escape	10.02
Explorer	10.02
Backhoe, gradeall	102.09
Grader	40.60
Hydro-Blaster	10.99
Lazer Line	5.00
Line remover	5.00
Loader, RT	44.43
Loader, RT	80.28
Loader, RT	92.60
Loader, RT	100.00
Loader, Skidsteer	24.65
Loader, Skidsteer	92.60
Long Stick	102.09
Mini-ex	30.88
Paver, Lay Down Maci	168.62
Paver, Power Box	50.64
Pick up, One Ton	10.90
Pick up, One Ton Crev	13.34
Pick up, One Ton w/pl	35.32
Pickup	10.02
Pickup, Crew cab	10.02
Planer	425.69
Plate Tamper	3.97
Pump, 3"	4.71
Pump, 8"	29.23
Trailer, Pup	11.63
Roller	32.91
Roller	64.94
Snow Blower, loader n	82.41
Striper, Line	75.80
Sweeper	120.00
Tar Pot	2.46
Tractor w/mower	38.26
Transport and 60 ton ti	67.77
Trailer, 3 Axle Tilt Decl	10.20
Tree Chopper	26.83
Vactor	130.00
Vactor Trailer	80.00
Van Jail crew	10.90
Water Truck	42.75

Exhibit C
Cottonwood Heights
Work Order Numbers
July 1, 2013 - June 30, 2014

Work Order #	Description
CJQ000018	Slurry seal
HIQ001000	Pot hole patching
HIQ001001	Asphalt patch
HIQ001002	Snow removal
HIQ001003	Shouldering
HIQ001004	Crack seal
HIQ001005	Surface clean up
HIQ001007	Tree trimming
HIQ001020	Guardrail upgrade/jersey
HIQ001025	Call outs
HIQ001032	Complaints
HIQ001100	Overlay prep
HIQ111101	Ft Union Blvd Union Park overlay
HIQ111102	Bengal Blvd 2385 E overlay
HIQ111103	7200 S 1678 E to 1695 E overlay
HIQ111801	HIGHLAND DR I-215 TO BENGAL chip seal
HIQ121102	Old Mill Circle overlay
HIQ121103	Deville Dr overlay
HIQ121104	Ft Union 2300 E to 3000 E overlay
HIQ121801	1300 E I-215 to Union Park chip seal
HIS001800	Chip seal prep
STQ001000	Maint street lighting
STQ001214	Schedule 61 butler street lights
STQ001300	Maint repair schedule 13 street lights
STQ002400	General maint radar signs
STQ070001	Gps street lights
STQ110001	1774 e meadow down way street lights
STQ120013	Old mill estates big cott street lights
STQ120014	7770 S 1655 E street lights street lights
STQ120015	7000 S Wasatch street lights
STQ120016	1912 E Meadow Dr street lights
STQ120017	6777 S 3120 E street lights
STQ120018	3215 E Walker Mill Dr street lights
STQ120019	8340 S 3615 E street lights
STQ120020	7302 S Milne Garden Circle street lights
STQ120021	6525 S 2680 E street lights
STQ120022	7256 S 1370 E street lights
TEQ002200	School flashers
TEQ002201	School flasher new/relocation
TEQ003800	Traffic study/speed study
TEQ005050	Regulatory signs

Exhibit C
Cottonwood Heights
Work Order Numbers
July 1, 2013 - June 30, 2014

Work Order #	Description
TEQ007000	Striping
TEQ007001	Striping maint/maint x-walk
TEQ008000	Transverse paint markings
TEQ120001	Turn Pocket Ft Union Whitmore Way for Platnium Car Wash
TEQX06720	6765 S 2000 E LA CRESTA traffic signal
TEQX06913	6910 s 1300 e ft. Union traffic signal
TEQX06914	6910 s 1435 e ft. Union traffic signal
TEQX06917	6950 s 1700 e ft. Union traffic signal
TEQX07013	7040 S 1300 E PARK CTR DR traffic signal
TEQX07018	FT UNION 1800 E FIRE STATION traffic signal
TEQX07020	7000 S 2000 E FT UNION/HIGHLAND traffic signal
TEQX07022	7000 S 2200 E FT UNION traffic signal
TEQX07023	7000 S 2300 E FT UNION traffic signal
TEQX07027	7000 s 2700 e ft. Union traffic signal
TEQX07030	7000 s 3000 e ft. Union traffic signal
TEQX07220	7200 S 2000 E HIGHLAND DR traffic signal
TEQX07520	7465 S 2000 E BANGAL BLVD traffic signal
TEQX07623	7600 S 2300 E BANGAL BLVD traffic signal
TEQX07820	7780 S 2000 E FORREST CREEK traffic signal
TEQX07826	7750 S 2600 E BENGAL BLVD traffic signal
TEQ002400	Maint radar signs
TEQ000010	Graffiti clean up
TESX06530	COTTONWOOD 3000 E 50% traffic signal
TESX07010	FT UNION UNION PARK 50% traffic signal
TESX07113	UNION PARK 1300 E 50% traffic signal
TESX07213	7180 S UNION PARK 50% traffic signal
TESX07313	CREEK RD UNION PARK 25% traffic signal
TESX08120	CREEK RD HIGHLAND 75% traffic signal
TESX06430	6484 S 300 E 50% traffic signal
TEQ001000	Traffic signal tattletale lights
HIQ001014	Storm drain maint
HIQ003014	Jet rodding storm drain
AGQ001000	Weed spraying

Exhibit D
Cottonwood Heights
Labor Rates
July 1, 2013 - June 30, 2014

Laborer	\$16.62 - \$19.48
Equipment Operator	\$16.82 - \$23.63

The above rates cover the majority of the Public Works Operations staff. The ranges are subject to change by the County Council. Individual rates may change throughout the year due to payroll adjustments.

COTTONWOOD HEIGHTS

RESOLUTION NO. 2013-15

A RESOLUTION APPROVING ENTRY INTO
AMENDMENT NO. 3 TO AN INTERLOCAL AGREEMENT
WITH SALT LAKE COUNTY FOR PAVING SERVICES

WHEREAS, the Interlocal Cooperation Act, *Utah Code Ann.* §11-13-101 *et seq.*, provides that any two or more public agencies may enter into agreements with one another for joint or cooperative action following the adoption of an appropriate resolution by the governing body of each participating public agency; and

WHEREAS, effective 1 July 2009, the city of Cottonwood Heights (the “City”) and Salt Lake County (the “County”) entered into an interlocal agreement (the “Agreement”) whereunder the County agreed to provide overlay, chipseal, slurry and other road maintenance services (“Paving Services”) within the City; and

WHEREAS, the parties heretofore have amended the Agreement to extend its term until 1 July 2013; and

WHEREAS, the County desires to continue to provide Paving Services within the City for the period of 1 July 2013 through 30 June 2014 on the terms and conditions specified in the attached “Amendment and Renewal No. 3--Agreement for Public Works Services--Salt Lake County and City of Cottonwood Heights--General Road Maintenance, Overlay, Chipseal 2013-2014” (the “Third Amendment”); and

WHEREAS, the city council (the “Council”) of the City met in regular session on 23 April 2013 to consider, among other things, approving the City’s entry into the Third Amendment; and

WHEREAS, the Council has reviewed the form of the Third Amendment, a photocopy of which is annexed hereto; and

WHEREAS, the city attorney of the City has approved the form of the Third Amendment as required by *Utah Code Ann.* §11-13-202.5(3); and

WHEREAS, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the City’s residents to approve the City’s entry into the Third Amendment as proposed in order to make efficient use of the City’s resources;

NOW, THEREFORE, BE IT RESOLVED by the city council of Cottonwood Heights that the attached Third Amendment with the County is hereby approved, and that the City’s mayor and recorder are authorized and directed to execute and deliver the Third Amendment on behalf of the City.

This Resolution, assigned no. 2013-15, shall take effect immediately upon passage.

PASSED AND APPROVED this 23rd day of April 2012.

COTTONWOOD HEIGHTS CITY COUNCIL

By _____
Kelvyn H. Cullimore, Jr., Mayor

ATTEST:

Linda W. Dunlavy, Recorder

VOTING:

Kelvyn H. Cullimore, Jr.	Yea	___	Nay	___
Michael L. Shelton	Yea	___	Nay	___
J. Scott Bracken	Yea	___	Nay	___
Michael J. Peterson	Yea	___	Nay	___
Tee W. Tyler	Yea	___	Nay	___

DEPOSITED in the office of the City Recorder this 23rd day of April 2013.

RECORDED this ___ day of April 2012.

596331.1

**AMENDMENT AND RENEWAL NO. 3
AGREEMENT FOR PUBLIC WORKS SERVICES
SALT LAKE COUNTY
AND
CITY OF COTTONWOOD HEIGHTS**

General Road Maintenance
Overlay, Chipseal 2013-2014

THIS AMENDMENT is made and entered into this ____ day of _____, 2013, and amends an existing interlocal agreement between SALT LAKE COUNTY (the "COUNTY"), a body corporate and politic of the State of Utah; and the CITY OF COTTONWOOD HEIGHTS (the "CITY"), a municipal corporation of the State of Utah.

RECITALS

A. The parties entered into an agreement on July 1, 2009, pursuant to the Utah Interlocal Cooperation Act, under which the COUNTY would provide certain public works services to the CITY (the "SERVICES").

B. Pursuant to the terms of the original agreement, the parties hereby agree to amend and extend that agreement for the period set forth herein and based on the rates and services set forth in a revised Exhibit "A," attached hereto.

AGREEMENT

1. The nature of the SERVICES provided under this amendment and the charges for the SERVICES is set forth in Exhibit "A," which is made a part of and incorporated into this amendment by reference, replacing the original Exhibit "A" in the original agreement.

2. The original agreement of the parties is amended to extend the term of SERVICES under this amendment through June 30, 2014.

3. Except as specifically amended, all of the terms and provisions of the agreement of the parties shall remain in full legal force and effect.

4. The parties acknowledge that this amendment is subject to the provisions and procedures contained in the Interlocal Cooperation Act and they agree to process, approve, manage and archive this amendment in accordance with the provisions of that Act.

IN WITNESS WHEREOF, the parties do execute this amendment on the day and year first above written.

APPROVED AS TO FORM
Salt Lake County District Attorney's Office
By [Signature]
Deputy District Attorney
Date 29 March 2013

SALT LAKE COUNTY

By _____
Mayor or Designee

CITY OF COTTONWOOD HEIGHTS

By _____
Title _____

Attest:

City Recorder

**Exhibit A
Cottonwood Heights
Pavement Maintenance
July 1, 2013 - June 30, 2014**

Contract item	Amount
Overlay, Chip Seal and Slurry Seal	\$ 633,140
Total:	<u>\$ 633,140</u>

The CITY shall reimburse the County for the total actual cost of the work performed, including labor, equipment, materials, and indirect costs, if any, as outlined in the contract.

Overlay and Chip seal projects include the following:

Edge Milling (Overlay only)
Sweeping one time before and after work
Striping
Traffic Control

Slurry Seal Projects include the following:

Pre-Sweep of the area by the slurry seal contractor.
Traffic Control by the slurry seal contractor.
Post-Sweep of the slurry area to be handled by the city's sweeping contractor.

PW Services Contract Amount	\$ 789,000
Pavement Maintenance Contract Amount	\$ 633,140
Grand Total	\$ 1,422,140

COTTONWOOD HEIGHTS

RESOLUTION No. 2013-16

AN APPROPRIATION RESOLUTION ADOPTING A ONE YEAR ACTION PLAN
FOR FY 2013-2014 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING AND
AUTHORIZING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN
COTTONWOOD HEIGHTS, THE U.S. DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT AND OTHER GOVERNMENTAL ENTITIES

WHEREAS, under 24 Code of Federal Regulations (“CFR”) Part 91, *et seq.*, the city of Cottonwood Heights (the “City”) is entitled to receive Community Development Block Grant (“CDBG”) funds through its participation in the “Salt Lake Urban County Program” (the “Program”) in the amount of \$79,903 from the U.S. Department of Housing and Urban Development (“HUD”) for program year 2013-2014; and

WHEREAS, it is in the best interests of the City’s residents for the City to participate in the Program for said funds in accordance with 24 CFR Part 91; and

WHEREAS, the public notices, hearings and other pre-submission requirements under 24 CFR Part 91 have been accomplished by the City, including, but not limited to, a public hearing held on Tuesday, 26 March 2013 to consider CDBG projects requesting funding and to obtain citizen input regarding allocation of the CDBG funds; and

WHEREAS, on 23 April 2013, the city council (the “Council”) of the City met in regular session to consider, among other things, adopting a final one-year action plan for fiscal year 2013-2014 for the available CDBG funds;

NOW, THEREFORE, BE IT RESOLVED by the Cottonwood Heights city council that the City hereby adopts its final one-year action plan fiscal year 2013-2014 for CDBG funds as set forth on the attached exhibit; and

FURTHER RESOLVED that the City’s mayor, as the City’s official representative, be and hereby is authorized to submit to Salt Lake County (the “County”), under the Program, such plan for utilization of the available CDBG funds, together with such additional information and certifications as may be required under 24 CFR Part 91 or other applicable law; and

FURTHER RESOLVED that the City’s mayor, as the City’s official representative, be and hereby is authorized to execute and deliver the County grant agreement and any and all other agreements and instruments between the City and the County or other public entities resulting from and consistent with the County grant agreement under the Program or applicable law, subject to final approval as to form by the city attorney; and

FURTHER RESOLVED that on the exhibit hereto, the term “Allocation” shall mean the total CDBG funds allocated to the City by HUD through the Program for program year 2013-2014.

This Resolution, assigned no. 2013-16, shall take effect immediately upon passage.

PASSED AND APPROVED effective 23 April 2013.

COTTONWOOD HEIGHTS CITY COUNCIL

By _____
Kelvyn H. Cullimore, Jr., Mayor

ATTEST:

Linda W. Dunlavy, Recorder

VOTING:

Kelvyn H. Cullimore, Jr.	Yea	___	Nay	___
Michael L. Shelton	Yea	___	Nay	___
J. Scott Bracken	Yea	___	Nay	___
Michael J. Peterson	Yea	___	Nay	___
Tee W. Tyler	Yea	___	Nay	___

DEPOSITED in the office of the City Recorder this 23rd day of April 2013.

RECORDED this ___ day of April 2013.

596334.1

EXHIBIT

Final One-Year Action Plan for CDBG Funds (2013-2014)

City Projects:

All CDBG grant funds for 2013-14 that are not allocated to the housing activities specified below will be used for ADA ramps and other handicapped accessibility repairs and improvements to City's curbs, sidewalks and other public infrastructure.

Total Estimated for City Projects from current Allocation: **\$59,903.**

Housing Activities:

Assist	\$10,000
Valley Services (Handyman Services)	\$ 5,000
Helping Hand Association (The Haven)	<u>\$ 5,000</u>

Total Housing Activities from current Allocation: **\$20,000**

Total Grant: **\$79,903**

COTTONWOOD HEIGHTS

RESOLUTION No. 2013-17

A RESOLUTION CONSENTING TO REAPPOINTMENTS
TO THE ARCHITECTURAL REVIEW COMMISSION

WHEREAS, section 19.49.020 of the COTTONWOOD HEIGHTS CODE (the “Code”) establishes an “architectural review commission” (the “ARC”) for the city of Cottonwood Heights (the “City”), responsible for, *inter alia*, reviewing and making recommendations on all development, whether commercial or residential, proposed for the City’s Gateway Overlay District; and

WHEREAS, the Code provides that the ARC consists of at least five regular members and two at-large, alternate members appointed for staggered two-year terms by the City’s manager (the “Manager”) with advice and consent of the City’s city council (the “Council”); and

WHEREAS, the Council met on 23 April 2013 to consider, among other things, (a) the reappointment of four members to the ARC to fill the vacancies resulting from the expiration of the current terms of office of such members, and (b) ratifying and consenting to the current composition of membership of the ARC; and

WHEREAS, the Manager has nominated **Scott E. Chapman, Jonathan Jan Oldroyd, Laura McCoy** and **Scott Peters** to fill the vacancies on the ARC resulting from expiration of the current terms of office of such members; and

WHEREAS, the Council has given advice for the reappointment of such individuals to the ARC; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the citizens of the City to consent to the reappointments to the ARC proposed by the Manager;

NOW THEREFORE, BE IT RESOLVED by the Cottonwood Heights city council that the Council hereby consents to the reappointment of **Scott E. Chapman, Jonathan Jan Oldroyd** and **Laura McCoy** as regular members of the ARC, and of **Scott Peters** as an alternate member of the ARC, and hereby ratifies and consents to the status of the following individuals as all of the members of the ARC as of the effective date of this resolution for the terms of office set forth opposite each name:

<u>Name</u>	<u>Term Expires</u>
Scott E. Chapman	1 May 2015
Jonathan Jan Oldroyd	1 May 2015
Robyn Taylor	1 May 2014

Neils E. Valentiner 1 May 2014

Laura McCoy 1 May 2015

Scott Peters (Alternate) 1 May 2015

Stephen K. Harman (Alternate) 1 May 2014

This Resolution, assigned no. 2013-17, shall take effect immediately upon passage.

PASSED AND APPROVED effective 23 April 2013.

COTTONWOOD HEIGHTS CITY COUNCIL

By _____
Kelvyn H. Cullimore, Jr., Mayor

ATTEST:

Linda W. Dunlavy, Recorder

VOTING:

Kelvyn H. Cullimore, Jr.	Yea	___	Nay	___
Michael L. Shelton	Yea	___	Nay	___
J. Scott Bracken	Yea	___	Nay	___
Michael J. Peterson	Yea	___	Nay	___
Tee W. Tyler	Yea	___	Nay	___

DEPOSITED in the office of the City Recorder on 23 April 2013.

RECORDED this ___ day of April 2013.

596335.1

COTTONWOOD HEIGHTS

RESOLUTION No. 2013-18

A RESOLUTION CONSENTING TO APPOINTMENTS TO THE COTTONWOOD HEIGHTS ARTS COUNCIL

WHEREAS, section 2.140.401 of the COTTONWOOD HEIGHTS CODE (the "*Code*") establishes the "Cottonwood Heights Arts Council" (the "*Arts Council*") for the city of Cottonwood Heights (the "*City*"); and

WHEREAS, Code §2.140.403(B) provides that the Arts Council shall consist of up to 13 members who are City residents, who may be from geographically diverse parts of the City, and who may be selected to assure adequate representation of each of the various artistic disciplines; and

WHEREAS, Code §2.140.104 provides that members of the Arts Council shall be appointed and removed by the city manager (the "*Manager*") with advice and consent of the city council (the "*Council*") to staggered three-year terms, so that the terms of office of approximately one-third of the members expire each year; and

WHEREAS, the Manager has (a) reappointed **Rebecca Kitchen** and **Maradon Nettleship** to fill vacancies on the Arts Council resulting from expiration on 1 February 2013 of the terms of office of such members; and (b) appointed **John Russell** and **Chante' T. McCoy** to replace former members Melissa Lowry and Rod Sheets, whose terms of office expired on 1 February 2013 and who did not seek reappointment; and (c) appointed **Wendy S. Merrell** to fill the unexpired term of Kathy Brodsky, who has resigned from the Council; and

WHEREAS, the Manager has requested that the Council give its advice and consent to such appointments; and

WHEREAS, the Council met on 23 April 2013 to, among other things, (a) consider the reappointment of **Rebecca Kitchen** and **Maradon Nettleship** to the Arts Council; (b) consider the appointment of **John Russell**, **Chante' T. McCoy** and **Wendy S. Merrell** to fill the vacancies on the Arts Council specified above; and (c) ratify and consent to the current composition of membership of the Arts Council; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the citizens of the City to consent to the foregoing appointments to the Arts Council as proposed by the Manager;

NOW THEREFORE, BE IT RESOLVED by the Cottonwood Heights city council that the Council hereby (a) consents to the reappointment of **Rebecca Kitchen** and **Maradon Nettleship** to the Arts Council; (b) consents to the appointment of **John Russell**, **Chante' T. McCoy** and **Wendy S. Merrell** to fill the vacancies on the Arts Council specified above; and (c) ratifies and gives advice and consent to the status of the following individuals as all of the current members of the Arts Council as of the date of this resolution for the terms of office set forth opposite each name:

<u>Name</u>	<u>Term Expires</u>
Rebecca Kitchen	1 February 2016
John Russell	1 February 2016
Maradon Nettleship	1 February 2016
Chante' T. McCoy	1 February 2016
 Brian Allen	 1 February 2014
Wendy S. Merrell	1 February 2014
Christi Jones	1 February 2014
Emmaree Josephson	1 February 2014
 Becky Henriksen	 1 February 2015
Bob Ithurrealde	1 February 2015
Sheryl Ivey	1 February 2015
Karen B. McCoy	1 February 2015
Suzanne Neddo	1 February 2015

This Resolution, assigned no. 2013-18, shall take effect immediately upon passage.

PASSED AND APPROVED effective 23 April 2013.

COTTONWOOD HEIGHTS CITY COUNCIL

By _____
Kelvyn H. Cullimore, Jr., Mayor

ATTEST:

Linda W. Dunlavy, Recorder

VOTING:

Kelvyn H. Cullimore, Jr	Yea ___ Nay ___
Michael L. Shelton	Yea ___ Nay ___
J. Scott Bracken	Yea ___ Nay ___
Michael J. Peterson	Yea ___ Nay ___
Tee W. Tyler	Yea ___ Nay ___

DEPOSITED in the office of the City Recorder this 23rd day of April 2013.

RECORDED this ___ day of April 2013.

MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL MEETING HELD TUESDAY,
MARCH 26, 2013, AT 7:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL CHAMBERS

Members Present: Mayor Kelvyn Cullimore, Councilman Scott Bracken, Councilman Tee Tyler,
Councilman Mike Peterson, Councilman Mike Shelton

Staff Present: City Manager John Park, Deputy City Manager Linda Dunlavy, Public Relations
Specialist Stephanie Archibald, Assistant Fire Chief Mike Watson, City Engineer Brad Gilson,
Public Works Director Mike Allen, Community and Economic Development Director Brian Berndt,
Finance Director Steve Fawcett, City Attorney Shane Topham, Assistant Chief Paul Brenneman,
Chief Robby Russo was excused

Others Present: Nancy Dahill, Nancy Day, LeeAnn Powell, David Woodman, Kim Olson, Wendy Evanoff,
Scout Troop 577

1.0 WELCOME/PLEDGE/ACKNOWLEDGEMENTS

1.1 Mayor Kelvyn Cullimore called the meeting to order at 7:00 p.m. and welcomed those attending.

1.2 The Pledge of Allegiance was presented by Scout Troop 577.

2.0 PRESENTATION: Outstanding Recreation and Park Facility Award – Mountview Park

2.1 Councilman Peterson recognized the Utah Recreation and Parks Association noting that it has been
in existence for over 50 years and has over 750 members. The association provides services and
training to its members. Councilman Peterson introduced Utah Recreation and Parks Association
Executive Director Kim Olson, current President Nancy Day and past President LeeAnn Powell.

2.2 Nancy Day presented the Utah Recreation and Parks Association award for Outstanding Facility in
the State of Utah to Mayor Cullimore for Mountview Park. She informed the Council that the new
President-Elect is Patty Hansen, an employee of Cottonwood Heights Parks and Recreation Service
Area. The Outstanding Professional Management Position Award was presented to Councilman
Peterson, who serves as the director of Cottonwood Heights Parks and Recreation Service Area.

3.0 CITIZEN COMMENTS

3.1 There were no public comments.

4.0 PUBLIC HEARINGS

**4.1 Public Hearing on the Use of the City's Community Development Block Grant Funds for FY
13-14**

4.1.1 Mayor Cullimore reported that the federal government, through the Department of Housing and
Urban Development, awards block grants to be used for specific purposes within the community.

4.1.2 Mayor Cullimore opened the public hearing.

- 4.1.3 Wendy Evanoff, director of The Haven, requested \$10,000 in CDBG funds for the sober living facility which increases the rate of success from 53% to 85%. Specifically a new boiler system is desperately needed. She explained that The Haven is a substance abuse treatment center located at 653 East 300 South in Salt Lake City, and patients at the facility are 18 and older and approximately 95% of the clients are low-income, because use of the facilities is based on need rather than ability to pay.

Last year the four facilities they operate served 132 individuals. Referrals for the facility most often come through the legal system. The patient goes through a residential treatment program for 60-90 days, and then transitions into the sober living community. The Haven is a zero tolerance facility and if patients fail a drug test, they are terminated from the facility.

- 4.1.4 Dave Woodman, representing ASSIST, explained that the purpose of ASSIST is to help low income, disabled and elderly members of the community with emergency home repairs. Local licensed, private contractors are hired to perform the work. Another service that is offered free of charge is an assessment and design service to give families options for making their homes safer and more accessible for those with disabilities. Mr. Woodman did not have the current budget, and did not have the amount of funds being requested.

- 4.1.5 There were no further public comments. Mayor Cullimore closed the public hearing.

5.0 **REPORTS/PROCLAMATIONS/RECOGNITIONS**

Standing Monthly Reports

5.1 **Monthly Financial Report**

Finance Director Steve Fawcett presented the Financial Report for the month of February. He stated that sales taxes revenue continues to increase and January receivables show an 11% increase compared to 2012. Property tax revenue collections are at 99%. Mr. Fawcett reported that there is a continued decrease in fee-in-lieu and motor vehicle registrations and transient room sales tax collections are down. Mr. Fawcett suggested an internal audit be conducted to verify that collections are being properly documented.

He also noted that activities are within budget and he is expecting the fiscal year to end with a positive balance.

A complete financial report is available on the City's website.

5.2 **Unified Fire Report**

Assistant Chief Mike Watson presented the Unified Fire Report for the month of February. He stated that in terms of call volumes Station 110 came in 5th and Station 116 came in 15th. In February there were 63 fire calls reported and 249 medical calls. Station 116 received 58 total calls with a total of 54 Advanced Life Support (ALS) calls resulting in 25 transports; and 4 Basic Life Support (BLS) calls resulting in 2 transports. Station 110 received 108 calls with a total of 93 Advanced Life Support (ALS) calls resulting in 52 transports; and 15 Basic Life Support (BLS) calls resulting in 6 transports.

Station 110 and 116 conducted 4 station tours and a fire safety lecture for a Boy Scout Troop. They also participated in ride-alongs with paramedic students and advanced cardiac life support and natural gas training.

Chief Watson addressed smoke detector batteries in the monthly safety message. With the passing of daylight saving time change, he explained that now is a good time to change batteries in smoke detectors and inspect smoke detector expiration dates. Federal officials estimate that up to 85% of all dwellings in the United States have detectors, but as many as one-third of those are not in proper working order. Monthly testing was recommended.

A copy of the complete UFA report is available on the City's website.

6.0 ACTION ITEMS

6.1 Consideration of Ordinance No. 202 Adjusting the Common Boundary between Cottonwood Heights and the City of Holladay

6.1.1 Mayor Cullimore stated that the City purchased property that extends into the City of Holladay and the proposed adjustment will correct the boundary so that it is platted as part of the City.

6.1.2 **MOTION:** Councilman Peterson moved to approve Ordinance No. 202. The motion was seconded by Councilman Tyler and passed unanimously on a roll call vote.

6.2 Consideration of Ordinance No. 203 Adjusting the Common Boundary between Cottonwood Heights and Sandy City

6.2.1 Mayor Cullimore explained that the proposed ordinance moves the City boundary to the center of Creek Road.

6.2.2 **MOTION:** Councilman Bracken moved to approve Ordinance No. 203. The motion was seconded by Councilman Shelton and passed unanimously on a roll call vote.

7.0 ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION IN ROOM 250

7.1 **MOTION:** Councilman Shelton moved to adjourn and reconvene the work meeting. The motion was seconded by Councilman Tyler and passed unanimously on a roll call vote. The business meeting adjourned at 7:48 p.m.